

PATENT

Atty Docket No.: D02933

App. Ser. No.: 10/626,824

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks. Claims 1-11, 13-24 and 26-28 are pending in the present application of which claims 1 and 14 are independent.

Claims 1-8, 14-21, and 27-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cuccia (6,157,673) in view of Anderson et al. (6,181,706).

Claims 9 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cuccia (6,157,673) in view of Anderson et al. (6,181,706) and in further view of Metz et al. (5,666,293).

Claims 10-11 and 23-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cuccia (6,157,673) in view of Anderson et al. (6,181,706) view of Metz et al. (5,666,293) and in further view of Look et al. (6,747,906).

These rejections are traversed for the reasons stated below.

Claim Rejections Under 35 U.S.C. §103(a)

The test for determining if a claim is rendered obvious by one or more references for purposes of a rejection under 35 U.S.C. § 103 is set forth in MPEP § 706.02(j):

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

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Therefore, if the above-identified criteria are not met, then the cited reference(s) fails to render obvious the claimed invention and, thus, the claimed invention is distinguishable over the cited reference(s).

1. Claims 1-8, 14-21, and 27-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cuccia (6,157,673) in view of Anderson et al. (6,181,706), referred to as Anderson.

Claim 1 has been amended to recite,

receiving a request[[s]] for collecting program information, said request[[s]] identifying program information to be collected from one or more of the transport streams and including a first list of requested program information and a second list of requested program information different from the first list of requested program information.

matching the first received program information with [[a]] the first list of requested program information; and

if the first received program information matches information in the first list of requested program information, matching the second received program information with the second list of requested program information.

Support for these features is provided on page 9, lines 3-23 of the Applicants' specification. For example, a request to collect program information may include a data structure including a port and PID for a program. If a transport stream received on the port includes a PID in the request (i.e., a match is found), then other information in the request identifying the program (e.g., Table ID, version number, section number, etc.) is compared to information in the stream. If the other information is also matched, the request is moved to a completed list and the application is notified of the match.

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As discussed in the previous response, Cuccia fails to teach or suggest matching first received program information with a first list of requested program information and matching second received program information with a second list of requested program information. In particular Cuccia discloses extracting all PSI and conveying all PSI to a mapping function in col. 4, lines 60-61. However, Cuccia fails to teach or suggest the claimed multiple matching levels.

The Examiner appears to agree that Cuccia fails to teach or suggest the claimed multiple matching levels, but attempts to rectify the deficiencies of Cuccia by combining Anderson with Cuccia.

Anderson discloses a pre-decoder with a packet parser and a PID filter in figure 6. The packet parser extracts a PID from a transport packet header of a received packet. The extracted PID is compared to active PIDs in the PID filter. If a match is found, the packet is forwarded to a descrambler. Otherwise the packet is discarded. See col. 8, lines 4-15 and col. 9, lines 1-5.

The rejection appears to allege that both the claimed first list of requested information and the second list of requested information is the extracted PID, which is compared to the active PIDs in the PID filter of Anderson. Accordingly, the first list of requested information and the second list of requested information have been amended to clarify that they comprise different information, which is not taught or suggested by Cuccia in view of Anderson.

Furthermore, claim 1 has been amended to recite that if the first received program information matches information in the first list of requested program information, matching the second received program information with the second list of requested program information. Cuccia in view of Anderson fails to teach or suggest this sequence of matching.

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Anderson does not disclose matching the second requested program if the first requested program information matches. Anderson only discloses one matching step which is comparing a received PID to an active PID in the filter. There is no second matching step in Anderson, and Anderson fails to teach or suggest the claimed sequence of matching. For at least these reasons claim 1 and its dependent claims are believed to be allowable.

Claim 14 has been amended to recite features similar to claim 1, and thus claim 14 and its dependent claims are also believed to be allowable.

Claim 27 has been amended to recite many steps disclosed on page 9, lines 3-22 of the Applicants' specification. Claim 27 recites,

storing the port and the PID in an active list associated with the port, the active list including requests for collecting program information for transport streams received on the port;

moving the request to a processing list if the first received program information matches the PID in the active list for the port, wherein the processing list includes multiple requests that have matched PIDs but do not have matches with second lists of requested program information for the requests;

moving the request to a completed list if the one of the Table ID, the Table ID Extension, the Version Number or the Section Number in the second list of requested program information matches the second received program information; and

notifying an application making the request that a complete match is found.

Claim 28 has been amended to recite similar features. None of the cited prior art teach or suggest these features.

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2. Claims 9 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cuccia (6,157,673) in view of Anderson and in further view of Metz et al. (5,666,293), referred to as Metz.

Claims 9 and 22 are believed to be allowable for at least the reasons independent claims 1 and 14 are believed to be allowable.

Furthermore, Metz applies to downloading operating systems and applications using MPEG streams. Metz also fails to teach or suggest the claimed multiple levels of matching.

3. Claims 10-11 and 23-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cuccia (6,157,673) in view of Anderson view of Metz and in further view of Look et al. (6,747,906), referred to as Look.

Claims 10-11 and 23-24 are believed to be allowable for at least the reasons independent claims 1 and 14 are believed to be allowable.

Furthermore, Look applies to electronic circuits, circuit timing and RAM. Look also fails to teach or suggest the claimed multiple levels of matching.

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Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 502117.

Respectfully submitted,

Dated: October 1, 2007

By

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